

**BY ORDER OF THE COMMANDER,  
PACIFIC AIR FORCES**



**AIR FORCE INSTRUCTION 90-401**

**PACIFIC AIR FORCES COMMAND  
Supplement 1**

**5 AUGUST 2002**

**Command Policy**

**AIR FORCE RELATIONS WITH CONGRESS**

**COMPLIANCE WITH THIS PUBLICATION IS MANDATORY**

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OPR: HQ PACAF/CCX  
(Maj Shirlene D. Ostrov)  
Supersedes AFI 90-401/PACAF Sup 1,  
31 March 2000

Certified by: HQ PACAF/CC  
(General William J. Begert)  
Pages: 9  
Distribution: F

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This publication does not apply to the Air National Guard (ANG) or Air Force Reserve Command (AFRC) units and members.

### **SUMMARY OF REVISIONS**

This supplement is completely revised and based on additional guidance required for programs that fall under the title of Legislative Affairs. A “[” indicates revised material since the last edition.

**AFI 90-401, 1 July 1998, is supplemented as follows:**

4.1.1. (Added) The PACAF Commander's Action Group (PACAF/CCX) will maintain oversight of all legislative issues to include but not limited to: OMNIBUS, Congressional Inquiries, Surveys & Investigations, Questions/Inserts for Record, Wing Commander's Congressional Program, Congressional Visits and Congressional Testimonies. (See Attachment 1 for definitions.) The intent is to ensure the PACAF/CC has visibility on all of PACAF's congressional dealings, not to establish a PACAF legislative liaison office. Courtesy copies of all legislative issues and events will be provided to PACAF/CCX as identified in the following sections of this supplement.

4.1.1.1. (Added) PACAF/CCX should notify both the USCINCPAC J01-LA and SAF/LL of any Congressional Delegations visiting PACAF bases that have not been previously coordinated with these offices.

4.1.2. (Added) NAF/Wing supplements to this instruction must be coordinated through PACAF/CCX.

4.3. Congressional Inquiries to Local Commanders (Includes Alaska and Hawaii):

4.3.5. (Added) HQ PACAF replies to congressional/ high level inquiries must be cleared through the PACAF/CC in two instances: when a HQ PACAF staff activity prepares a reply directly to a member of Congress (or staff member) providing information not already approved by PACAF/CC, and when the inquiry concerns sensitive or controversial matters. If the requested information has not already been

approved by PACAF/CC or is sensitive or controversial, PACAF/CC or CV approval is required. If the information has already been approved by PACAF/CC or CV or is routine in nature, Directors may approve release and provide PACAF/CCX backbrief informational copies for PACAF/CC and CV.

4.3.5.1. (Added) HQ PACAF/IGQ

4.3.5.1.1. (Added) Acts as OPR for congressional/high level inquiries directed to HQ PACAF through, or referred by PACAF/CV into, Inspector General (IG) channels.

4.3.5.1.2. (Added) Tasks PACAF subordinate units to accomplish IG reviews, inquiries or investigations, as necessary, in response to congressional/high level inquiries.

4.3.5.2. (Added) HQ PACAF Directorates:

4.3.5.2.1. (Added) Designate the functional OPR for subject matter outlined in the inquiry and acts on congressional/high level inquiries following the guidance at **Table 1. (Added)** of this supplement.

4.3.5.2.2. (Added) Obtain PACAF/CC approval to release replies that (a) are sent directly to a member of Congress (or their staff), or (b) concern sensitive or controversial matters.

4.3.5.3. (Added) Field commanders act on congressional/high level inquiries following the guidance at **Table 1. (Added)** of this supplement. Field commanders establish a primary POC for congressional/high level inquiries (e.g., the officer appointed as the Inspector General). The primary POC ensures congressional/high level inquiries are sent to appropriate OPRs for action and replies are promptly and properly processed. The appointed Inspector General updates data in the Automated Case Tracking System II- Plus (ACTS II+), when a direct congressional inquiry is received, staffed, and answered at the local level completely through the IG system.

**Table 1. (Added) Steps To Take In Handling Congressional Inquiries.**

Origin of Request:		Direct from a Member of Congress		SAF or HQ USAF
Classification:		Sensitive FOUO Class	Routine UNCLAS	All
1	Review the information requested for (a) correct classification; (b) pertinence to sensitive or controversial decisions, status of facilities, community-impact, etc; and (c) need to protect it from public dissemination	X	X	X
2	Field units contact HQ PACAF functional OPR and HQ PACAF/CCX for specific guidance, as necessary.	X	X	X
3	Acknowledge receipt of the inquiry within 24 hours, informing the originator on the source of the reply (installation, HQ PACAF, or a higher level). Send info copy to PACAF CCX and additional info copies SAF/LLI, SAF/FML, and HQ PACAF/IGQ (as appropriate).	X	X	X
4	As required, send the pertinent nonreleasable "FOR OFFICIAL USE ONLY" (FOUO) or classified documents to SAF/LLI or SAF/FML (as appropriate) for action on the inquiry, with an info copy to PACAF/CCX and PACAF/IGQ (as appropriate).	X		
5	Within 5 workdays provide releasable FOUO, unclassified, and general non-sensitive information directly to the congressional member or staffer, giving Privacy Act information with the written consent of the Air Force Member. The first paragraph of every reply should cite the date the inquiry was received. SEE NOTES 1-4		X	
6	Handle telephonic inquiries by preparing a memorandum of the phone call and following steps 1 through 6 above.	X		X
7	Within 5 workdays provide a fully coordinated response directly to the requestor, giving pertinent and factual information, with an info copy to PACAF/CCX and PACAF/IGQ (as appropriate).			X
8	Promptly send to SAF/LLI or SAF/FML (as appropriate) a copy of both the inquiry and the reply, with an info copy to PACAF/CCX and PACAF/IGQ (as appropriate). Make certain SAF/LLI or SAF/FML (as appropriate) and PACAF/CCX and PACAF/IGQ are shown as info addressees on the acknowledgement and all responses. SEE NOTE 5 & 6		X	

**NOTES:**

1. HQ PACAF staff activity replies must be cleared through PACAF/CC.
2. Releasable FOUO information is that which a member, or constituent, could obtain directly (himself/ herself) under AFI 37-131, Freedom of Information Act (FOIA) Program.
3. The consent of the Air Force member is not required for release of Privacy Act information when a congressional office is acting for the member, who is the subject of the pertinent record(s). However, consent of the member is required when a congressional office is inquiring on behalf of a third party (e.g., parent, spouse, friend, etc).
4. Cite the date the inquiry was received (in first paragraph of every response) to support metrics maintained by higher headquarters regarding response timeliness.
5. This copy enables SAF/LLI or FML (as appropriate) to anticipate any further information the congressional office might require from higher headquarters.
6. HQ PACAF/CCX provides PACAF coordination for the Relations with Congress Program, compiles timeliness data, ensures separate replies are not provided for the same complaint, ensures separate replies are not sent to multiple levels of the government, and that the issue is not worked in both the functional and inspector general channels.

#### 4.4. Congressional Inquires to Overseas Commanders (Excludes Alaska and Hawaii):

4.4.5. (Added) HQ PACAF replies to congressional/ high level inquiries must be cleared through the PACAF/CC in two instances: when a HQ PACAF staff activity prepares a reply directly to a member of Congress (or staff member) providing information not already approved by PACAF/CC, and when the inquiry concerns sensitive or controversial matters. If the requested information has not already been approved by PACAF/CC or is sensitive or controversial, PACAF/CC or CV approval is required. If the information has already been approved by PACAF/CC or CV or is routine in nature, Directors may approve release and provide PACAF/DS backbrief info copies for PACAF/CC and CV.

##### 4.4.5.1. (Added) HQ PACAF/IGQ:

4.4.5.1.1. (Added) Acts as OPR for congressional/high level inquiries directed to HQ PACAF through, or referred by PACAF/CV into, Inspector General (IG) channels.

4.4.5.1.2. (Added) Tasks PACAF subordinate units to accomplish IG reviews, inquiries or investigations, as necessary, in response to congressional/high level inquiries.

##### 4.4.5.2. (Added) HQ PACAF Directorates:

4.4.5.2.1. (Added) Designate the functional OPR for subject matter outlined in the inquiry and acts on congressional/high level inquiries following the guidance at Enclosure A of this supplement.

4.4.5.2.2. (Added) Obtain PACAF/CC approval to release replies that (a) are sent directly to a member of Congress (or their staff), or (b) concern sensitive or controversial matters.

4.4.5.2.3. (Added) Field commanders act on congressional/high level inquiries following the guidance at **Table 1. (Added)** of this supplement. Field commanders establish a primary POC for congressional/high level inquiries (e.g., the officer appointed as the Inspector General). The primary POC ensures congressional/high level inquiries are sent to appropriate OPRs for action and replies are promptly and properly

processed. The appointed Inspector General updates data in the Automated Case Tracking System II- Plus (ACTS II+), when a direct congressional inquiry is received, staffed, and answered at the local level completely through the IG system.

4.5.1.1. (Added) Surveys & Investigations (S&I).

4.5.1.1.1. (Added) Notification of visiting S&I teams made through functional channels or directly to NAFs/Wings should be forwarded to PACAF/CCX to ensure PACAF/CC awareness.

4.5.1.1.2. (Added) PACAF/CCX will identify a HQ PACAF functional OPR based on the nature of the S&I objectives.

4.5.1.1.3. (Added) For teams visiting HQ PACAF, the OPR is responsible for developing a game plan to include attendance, duration, location, agenda, etc. This should be forwarded to PACAF/CCX to ensure PACAF/CC approval.

4.5.1.1.4. (Added) For teams visiting bases within PACAF, the functional OPR should keep PACAF/CC informed of the objectives. NAFs/Wings will send a synopsis of the visit to PACAF/CCX.

4.8.3. (Added) Congressional Delegations (CODELs) and Staff Delegations (STAFFDELs) visiting PACAF bases.

4.8.3.1. (Added) NAFs/Wings will contact PACAF/CCX when informed of a congressional delegation visit. This is to ensure the PACAF/CC is aware of congressional delegations in PACAF and to pass information and guidance to the NAFs/Wings. Notification of CODEL/STAFFDEL events made through functional channels will also be forwarded to PACAF/CCX.

4.8.3.1.1. (Added) Upon completion of the CODEL/STAFFDEL, NAFs/Wings will send a synopsis to PACAF/CCX.

4.8.3.2. (Added) On a case-by-case basis, PACAF/CCX will identify a HQ PACAF functional OPR based on the nature of the CODEL/STAFFDEL objectives.

4.8.3.3. (Added) HQ PACAF Functional OPR:

4.8.3.3.1. (Added) The OPR is responsible for developing a game plan to include topics of discussion, format of meeting (roundtable, office call, working lunch/breakfast, etc), attendance, duration, location, agenda, and any other details to ensure a productive visit. This should be forwarded to PACAF/CCX for PACAF/CC approval.

4.8.3.3.2. (Added) When appropriate, the OPR will develop a scenesetter message from PACAF/CC relaying pertinent issues and areas of concern. As a general rule, if the objectives of a CODEL/STAFFDEL affect PACAF, then a scenesetter is warranted.

4.9.1. PACAF Wing Commanders are encouraged (not required) to visit with Congressman from their home of record while in conjunction with other TDYs.

4.9.1.1. (Added) HQ PACAF/CCX.

4.9.1.1.1. (Added) Acts as OPR for all PACAF/CC Congressional visits.

4.9.1.1.2. (Added) Develops game plan and coordinates PACAF/CC Congressional visits through SAF/LL.

4.9.1.1.3. (Added) Upon notification by Wings of upcoming visit with Congressional Members, PACAF/CCX will provide additional information on issues relevant to PACAF and the committees represented when available.

4.9.1.1.4. (Added) Coordinates with staff to determine topics of discussion for each PACAF/CC visit.

4.9.1.2. (Added) Wing CCs.

4.9.1.2.1. (Added) Notify PACAF/CCX of planned visits with Congressional Members.

4.9.1.2.2. (Added) All Wing CCs should back brief HQ PACAF/CC on issues discussed during these visits.

4.10. (Added) OMNIBUS.

4.10.1. (Added) HQ PACAF/CCX.

4.10.1.1. (Added) Acts as OPR for the OMNIBUS.

4.10.1.2. (Added) Consolidates staff inputs and forwards to PACAF/CCX for PACAF/CC approval.

4.10.1.3. (Added) Ensures proposals are formatted in accordance with the DoD LRS website <http://www.defenselink.mil/dodgc/lrs/legproc.html> and include cost data and any technical legal analysis in the sectional analysis.

4.10.1.4. (Added) At certain stages in the process, USCINCPAC will request all service proposals be reviewed by the components. HQ PACAF/CCX distributes pertinent proposals for review by the staff during each review process.

4.10.1.5. (Added) Forwards PACAF/CC-approved inputs/review to USCINCPAC J01-LA and/or SAF/LL.

4.10.2. (Added) HQ PACAF Staff A.

4.10.2.1. (Added) Provides proposals for extensions of expiring laws, recommended termination of specific reporting requirements, and resubmission of proposals from previous sessions of Congress.

4.10.2.1.1. (Added) Inputs that affect other directorates should be properly coordinated prior to submission.

4.10.2.2. (Added) . Formats proposals in accordance with the DoD LRS website <http://www.defenselink.mil/dodgc/lrs/legproc.html> and must include cost data and any technical legal analysis in the sectional analysis.

4.10.2.3. (Added) Reviews relevant proposals from USCINCPAC and OSD for impact on PACAF in terms of manpower, cost, or other resources.

4.10.2.4. (Added) Provides recommendation of concur or non-concur with rationale to PACAF/CCX.

4.11. (Added) Questions/Inserts for Record.

4.11.1. (Added) HQ PACAF/CCX will identify the HQ PACAF functional OPR based on the nature of the Q/IFR.

4.11.2. (Added) HQ PACAF Functional OPR:

4.11.2.1. (Added) Consolidates staff inputs to provide concise response to QFR/IFR. Final package should be fully coordinated and submitted to PACAF/CCX for PACAF/CC approval.

4.11.2.2. (Added) Formats the response per CJCSI 5501.01B.

4.11.3. (Added) HQ PACAF/STAFF A.

4.11.3.1. (Added) Provides inputs to OPR. Inputs that affect other directorates should be properly coordinated prior to submission.

4.11.4. (Added) HQ PACAF/CCX:

4.11.4.1. (Added) Provides PACAF/CC approved response to requesting agency.

4.12. (Added) Congressional Testimonies.

4.12.1. (Added) HQ PACAF/CCX.

4.12.1.1. (Added) Acts as OPR for the Congressional Testimony Review.

4.12.1.2. (Added) Consolidates staff review and submits inputs to the HQ PACAF/CCX for PACAF/CC approval.

4.12.1.3. (Added) Provides PACAF/CC approved response to HHQ.

4.12.2. (Added) HQ PACAF/STAFF A.

4.12.2.1. (Added) Reviews draft testimony for accuracy and currency.

4.12.2.2. (Added) Provides inputs to CCX for consolidation. Inputs that affect other directorates should be properly coordinated prior to submission.

## Attachment 2 (Added)

### TERM DEFINITIONS AND PROGRAM EXPLANATIONS

**Wing Commander's Congressional Program:** An initiative aimed at sending Wing Commanders to Capitol Hill annually to meet with the Congressional delegation and staff representing their base and home of record. The purpose is to facilitate delivery of a coordinated and consistent Air Force message to the hill while developing sound, long-term relationships with Congress. In the process, the Wing Commanders stand to gain insights into the legislative process that will serve the Air Force for years to come. It is intended to be an avenue to provide information to members and staffers on critical air force issues as seen through the eyes of field commanders while building a culture of mutual understanding and respect.

**OMNIBUS:** The purpose of the OMNIBUS process is to obtain legislative proposals (LPs) on critical issues not covered by current legislation, including 1.) Extensions of expiring laws, 2.) Recommended termination of specific reporting requirements, and 3.) Resubmission of proposals from previous sessions of Congress. Each stand-alone proposal is to be accompanied by a sectional analysis explaining the purpose of the proposal. Cost data and any technical legal analysis must be set forth in the sectional analysis. Recommendations for extensions of expiring laws must include the recommended period of the extension and, if it has been extended previously, why further extension is requested rather than a permanent authority.

Submittal success requires (1) ensuring you word each proposal IAW guidelines and (2) keeping focus of the OMB "pay/go" requirement. In other words, if you're trying to keep money from going to the Federal Treasury, identify the offset.

The OMNIBUS process is highly iterative with set suspenses for the following:

**Round One.** The OMNIBUS Call to HQ PACAF will come from USCINCPAC/J01-LL for joint issues and SAF/LL for service issues. These proposals will be staffed at USCINCPAC and USAF respectively for further analysis and recommendations.

**Round Two.** Once submitted through these two channels, all submittals from throughout the DoD are compiled at the OSD level and redistributed for review and comment. PACAF comments are sent back through PACOM for collation with other components and then forwarded through JCS to OSD.

**Round Three.** A second packet of additional submittals passed from OSD will be forwarded for review and comment. As before, PACAF comments are sent back through PACOM for collation with other components and then forwarded through JCS to OSD.

**Questions or Inserts for Record:** QFRs result when Congressmen are unable to request information during Committee meetings. IFRs results when a witness is unable to provide an immediate response during a hearing. This response will be appended to the hearing transcript, as well as provided back to Congressman. These are often short notice, quick-turn taskers (often within 24-hours) that require CC approval prior to release. Maximum effort is required to provide a properly coordinated response in a timely manner.

**Congressional Delegations (CODELs) and Staff Delegations (STAFFDELs):** CODELs/ STAFFDELs visit the PACOM AOR for a multitude of reasons to include: to gather information to support the efforts of their particular committees, participate in theater or service orientations, or to conduct ceremonies. These visits are opportunities to demonstrate PACAF interest in congressional concerns and to provide congress PACAF's major issues. HQ PACAF support for CODELs/ STAFFDELs could take the form of



an office visit with the PACAF/CC or CV, roundtable discussion with briefings, or information passed to USCINCPAC for an office call with CINCPAC. Often a scenesetter is required prior to the CODEL/STAFFDEL event.

**Survey & Investigations (S&I):** S&I teams, composed of members of the S&I staff, is an extension of the House Committee on Appropriations. It conducts investigations for the committee at their direction. An investigation may concern a weapon system, policy, concept, particular action the Air Force or another agency has taken, or a condition existing in one or more of the Services in which the Committee has a particular interest. Members of these teams are at the action officer level and are basically on a fact-finding mission. It is Air Force policy to cooperate with Congress to the utmost and to make requested information promptly available to it through its committees, staff member, and investigative staffs. Refer to DoDD 5400.4 Provision of Information to Congress and DoDI 5500.16 Relationship with the Surveys and Investigations Staff, House Appropriations Committee for details.

The primary purpose of the PACAF Legislative focal point with regard to S&Is is to ensure that the PACAF/CC is aware of all S&I teams soliciting information from PACAF bases. This could take the form of a visit or a simple data call.

**Congressional Testimonies:** Unified CCs and Service Chiefs testify before Congress on command programs and policy issues. Congressional testimony preparation is outlined in USCINCPACNOTE 5730 and the testimony occurs in the March timeframe. In January - February, the components are often asked to review the testimony for accuracy and concurrence on issues to be discussed.

**Appropriations Bill:** An Act of Congress that permits federal agencies to incur obligations and make payments out of the Treasury for specified purposes. An appropriation usually follows the enactment of authorizing legislation. An appropriation act is the most common means of providing budget authority, but in some cases the authorizing legislation itself provides the budget authority. Annual appropriations are provided in appropriations acts. Legislation appropriating funds after the regular annual appropriation bill is known as a supplemental appropriations bill. It provides additional budget authority beyond original estimates.

**Authorization:** A legislative action establishing a program and general amounts of money to fund the program. An appropriation provides the funds.

**Scenesetter:** A personal message from the PACAF/CC or CV to incoming Distinguished Visitors (DV). For the purpose of this supplement, DVs are CODELs or STAFFDELs. Scenesetters contain a personal welcome and a general introduction to key issues relevant to the visit. The primary objectives of the scenesetter are to demonstrate PACAF interest in congressional concerns and to provide congress PACAF's major issues.

WILLIAM J. BEGERT, General, USAF  
Commander